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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,126	10/06/2000	Thomas R. Hull	10432/31	3216

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BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60610

EXAMINER

NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/684,126	Applicant(s) HULL ET AL.	
	Examiner Nhon (Gary) D Nguyen	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 56-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 56-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) * | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08182004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to Amendment filed 06/04/2004.
2. Claims 56-75 are pending in this application. Claims 56, 62, 68, and 70 are independent claims. In the Amendment, claims 56, and 62 are amended, and claims 68-75 are added. This action is made non-final.

Claim Objections

3. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 72 and 73 have been renumbered 74 and 75 respectively.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 56-75 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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As per claims 56, 62, 68, and 70, it is confusing when applicants state “a document having *one or more pages*” and then “the GUI displays *more than one page*”. If a document has *only one page* and then the GUI cannot display *more than one page*.

Also because *media* and *finishing* are two different fields, it is indefinite when claiming “*media/finishing* attributes”.

Claim 70 recites the limitation “*the media/finishing attributes operator interface*”. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 56, 59, 62, 65, 68, 69, 70, and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston (US 6,621,590) in view of Keyworth, II et al. (“Keyworth”, US 5,579,472).

As per independent claims 56, 62, 68, 69, 70, and 71, Livingston teaches a computer implemented method and corresponding system for controlling through a graphic user interface the printing of a document having one or more pages, wherein each of the one or more pages has associated therewith more than one media/finishing attributes, comprising the steps/means:

a page representation for each of the one or more pages, (68 and 84 of fig. 3A).

Livingston does not disclose the GUI displays more than one page representation

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simultaneously. Keyworth disclose a plurality of thumbnails being displayed simultaneously (fig. 3) and an attributes operator interface operatively coupled to each of these thumbnails (e.g. fig. 5). It would have been obvious to an artisan at the time of the invention to use the teaching from Keyworth of displaying a plurality of thumbnails simultaneously with an attributes operator interface operatively coupled to each of these thumbnails in Livingston's system since it would allow users quickly to review and to change each individual page's attributes.

a media/finishing attributes operator interface operatively coupled to each of the one or more pages for viewing and/or adding, deleting or modifying the media/finishing attributes of the one or more pages, wherein the more than one media/finishing attributes operator interface for each page may be displayed by selecting the page representation for that page (Livingston, 64 and 58 of fig. 3A; col. 5, lines 29-50).

As per claim 59, which is dependent claim 56, it is inherent in Livingston's system to further comprising a pointing device, and wherein the media/finishing attributes operator interface is displayed when the pointing device is manipulated over the selected page representation.

As per claim 65, which is dependent on claim 62, it is a similar scope to claim 59; therefore, it should be rejected under similar scope.

8. Claims 57, 58, 60, 61, 63, 64, 66, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston in view Keyworth and further in view of Habib et al. ("Habib", US 5,694,610).

As per claim 57, which is dependent on 56, Livingston in view of Keyworth does not disclose the media/finishing attributes operator interface for each page is coupled via a button palette operatively coupled to the selected page. Habib discloses a page setup up button palette that operatively coupled to a specific page (203 of fig. 2). It would have been obvious to an artisan at the time of the invention to use the teaching from Habib of a page setup up button palette that operatively coupled to a specific page in modified Livingston's system since it would allow all the page setup attributes appear on the palette and make it easier for users to control the attributes via the buttons.

As per claim 58, which is dependent on claim 57, modified Livingston does not disclose the button palette is comprised of a floating button palette which hovers above the user interface or may be hidden and triggered to appear when needed by the operator. The Examiner takes Official Notice that a popup window is hidden and triggered to appear when needed by an operator is well known in the Windows operating system. It would have been obvious to an artisan at the time of the invention to add popup feature to the button palette in modified Livingston's system since it would conserve the display space.

As per claims 60 and 61, which are both dependent on claims 56, Livingston in view of Keyworth does not disclose the media/finishing attributes operator interface is comprised of a pull down menu and the media/finishing attributes operator interface is comprised of a dialog box. Habib discloses a page setup include a pull down menu and a dialog box (203 of fig. 2). It would have been obvious to an artisan at the time of the invention to use the teaching from Habib

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of a page setup include a pull down menu and a dialog box in modified Livingston's system since it would make it easier for users to control the attributes via the pull down menu and dialog box.

As per claim 63, which is dependent on claim 62, it is a similar scope to claim 57; therefore, it should be rejected under similar scope.

As per claim 64, which is dependent on claim 63, it is a similar scope to claim 58; therefore, it should be rejected under similar scope.

As per claim 66, which is dependent on claim 62, it is a similar scope to claim 60; therefore, it should be rejected under similar scope.

As per claim 67, which is dependent on claim 62, it is a similar scope to claim 61; therefore, it should be rejected under similar scope.

9. Claims 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston in view Keyworth and further in view of Connors (US 5,600,412).

As per claims 72-75, Livingston in view of Keyworth does not disclose the GUI detects conflicts between media/finishing attributes and media/finishing attributes which are improperly set. Connors discloses that in col. 10, lines 44-47. It would have been obvious to an artisan at the time of the invention to use the teaching from Connors of detecting conflicts between

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media/finishing attributes and media/finishing attributes which are improperly set in modified Livingston's system since it would allow the system to avoid the inadvertently setting conflicts.

Response to Arguments

10. The applicants argued the following:

(a) Livingston and Habib neither singularly or in combination disclose or suggest page representations which are thumbnail or miniature images of a particular page, and wherein the GUI displays more than one page representation simultaneously.

(b) Livingston and Habib neither singularly or in combination disclose or suggest all of the media/finishing attributes associated with a particular page being displayed by selecting the page representation for that page.

11. The Examiner disagrees for the following reasons:

(a) Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

(b) Livingston does teach all of the media/finishing attributes associated with a particular page being displayed by selecting the page representation for that page in fig. 3A (col. 4, line 65 – col. 5, line 1), in which all attributes, associated with a particular page (first page 84, for example), are displayed in the attribute list 64.

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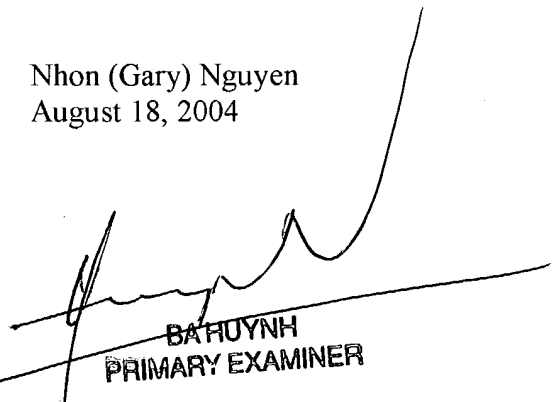
Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
August 18, 2004



BA HUYNH
PRIMARY EXAMINER